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ENDURANCE ASSURANCE CORPORATION  
7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION  
10

11 ENDURANCE ASSURANCE  
CORPORATION,

12 Plaintiff,

13 v.

14 ACE AMERICAN INSURANCE COMPANY,

15 Defendant.

CASE NO.: 4:21-cv-07642-HSG

**STIPULATION AND ORDER OF  
DISMISSAL PURSUANT TO FED. R.  
CIV.P. 41(a)(1)(A)(ii)**

Complaint Filed: September 29, 2021

17 Pursuant to the Settlement Agreement between Plaintiff Endurance Assurance Corporation  
18 ("Plaintiff") and Defendant Ace American Insurance Company ("Defendant");

19 IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN Plaintiff and  
20 Defendant, through their designated counsel, that this action be and is hereby dismissed with  
21 prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure; and

22 Plaintiff and Defendant, through their designated counsel, further stipulate and agree that they  
23 shall each bear their own fees and costs.

1 Dated: August 17, 2022

SELVIN WRAITH HALMAN LLP

6 Dated: August 17, 2022

MORALES FIERRO & REEVES

8 By: /s/ Robin D. Korte

3 Gary R. Selvin

4 Robin D. Korte

5 Attorneys for Plaintiff

ENDURANCE ASSURANCE CORPORATION

8 By: /s/ William C. Reeves

9 William C. Reeves

10 Attorneys for Defendant

11 ACE AMERICAN INSURANCE COMPANY

12 **ORDER**

13 **FOR GOOD CAUSE SHOWN**, and pursuant to the Stipulation of Plaintiff Endurance  
14 Assurance Corporation ("Plaintiff") and Defendant Ace American Insurance Company ("Defendant"),  
15 the Court orders that the matter is hereby dismissed with prejudice, with each party bearing  
16 responsibility for its own fees and costs.

17 **IT IS SO ORDERED.**

18 DATED: 8/18/2022

19   
20 HAYWOOD S. GILLIAM, JR.  
U. S. DISTRICT COURT JUDGE

21 420555